



12-16-09

IR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/975,458 Confirmation No. 9828  
Applicant : Gordon T. Brown  
Filed : October 11, 2001  
Title: : AUTOMATED ACCOUNTING SYSTEM  
TC/A.U. : 3691  
Examiner : Bijendra K. Shrestha  
  
Docket No. : 47781-6  
Customer No. : 29694

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**VIA EXPRESS MAIL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 15, 2009

Dear Sir:

Pursuant to the provisions of 37 CFR Sections 1.56, 1.97 and 1.98, Applicant submits herewith copies of the documents (other than U.S. patents) cited on the attached Forms PTO/SB/08A and PTO/SB/08B for consideration of the cited documents during prosecution of the subject application. The published Japanese Patent Applications JP03223958, JP03242793 and JP05216861 and the Toshiba publication were cited by a Japanese Examiner during prosecution of a related Japanese patent application which claims priority from U.S. Application Serial No. 08/313,988 (the parent of the currently pending application). U.S. Patent No. 5,144,115 claims priority from the JP03223958 application.

As understood by the patentee, the relevance of the published Japanese Patent Applications JP54058332, JP03223958, JP03242793, JP05216861 and JP07085181 may be determined from the accompanying English abstract of each application. The relevance of the JP 03223958A application may also be determined from the related U.S. Patent No. 5,144,115.

As understood by the patentee, the Toshiba publication is an instruction manual for a computer software product of a company's computer operating system including the company's accounting functions, disclosing that a host computer located at the head office of the company is in communication with computer terminals located at plural branch offices of

12/16/2009 CCHAU1 00000011 500859 09975458

01 FC:1806 180.00 DA

1640311-v1

that company. Company transaction data may be transmitted from the computer terminals to the host computer. The host computer provides accounting files, including a general ledger file, a total income statement file and the like for the company, based on the data sent from the computer terminals of the branch office and also transaction data input into the host computer at the company's head office. Customer and company account files may be resident in computer terminals at a branch office and standard company codes may be input into the host computer and computer terminals of the company for company business.

In addition to the documents listed on the attached PTO/SB/08B form, copies of relevant pages of Invalidity Contentions filed by the defendant in Civil Action No. 06-cv-00933-AJS in the United States District Court for the Western District of Pennsylvania are enclosed. That suit involves U.S. Patent No. 5,875,435, which is commonly owned by Applicant and which is a continuation-in-part of U.S. Application Serial No. 08/313,988 (the parent of the present application). One of the Invalidity Contentions was filed with the Court on February 7, 2007, and the other of the Invalidity Contentions was filed with the Court on September 28, 2009. Several of the documents submitted with this Supplemental Information Disclosure Statement are included in the enclosed Invalidity Contention documents. Although Applicant disagrees with the invalidity contentions, they are submitted herewith for consideration by the Examiner.

Also enclosed with this Statement are copies of Office Actions issued by the USPTO during prosecution of U.S. Application Serial No. 09/975,457, which was commonly owned by Applicant and was a continuation of the 08/313,988 application. The 09/975,457 application has been abandoned. The Office Actions are dated: February 20, 2002; November 18, 2005; November 17, 2006; July 31, 2007; March 4, 2008; August 14, 2008; and May 22, 2009.

Further enclosed with this Statement is a copy of the Request for *Ex Parte* Reexamination for the 5,875,435 patent filed with the USPTO on January 31, 2007, along with copies of Office Actions issued by the USPTO during the Reexamination Proceeding (Reexamination No. 90/008,481). As shown in the Reexamination Certificate dated June 9, 2009, the patentability of all of the original Claims 1-18 of the 5,875,435 patent was confirmed, and new Claims 19-56 were determined to be patentable.

This Statement is filed solely for the purpose of complying with the pertinent rules of the Office and is not intended to be a substitute for an independent evaluation by the Examiner of the art cited or an independent search by the Examiner, and no representation of any nature is made or intended by the filing of this Statement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alan G. Towner". The signature is fluid and cursive, with the first name "Alan" being more prominent than the last name "Towner".

Alan G. Towner  
Registration No. 32,949  
Pietragallo Bosick & Gordon, LLP  
One Oxford Centre, 38th Floor  
301 Grant Street  
Pittsburgh, PA 15219  
Attorney for Applicant

(412) 263-4340